

Bill as
Introduced

HB 1362 - AS INTRODUCED

2010 SESSION

10-2394
01/09

HOUSE BILL **1362**

AN ACT extending the right-to-know oversight commission.

SPONSORS: Rep. J. Garrity, Rock 6; Rep. Casey, Rock 11; Rep. Osborne, Merr 12; Sen. Barnes, Jr., Dist 17

COMMITTEE: Judiciary

ANALYSIS

This bill extends the right-to-know oversight commission which was to be repealed November 1, 2010. This bill also clarifies the position of a member of the commission.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT extending the right-to-know oversight commission.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Right-to-Know Oversight Commission; Membership. Amend RSA 91-A:12, I(d) to read as
2 follows:

3 (d) One [~~school-board~~] member, appointed by the New Hampshire School Boards
4 Association.

5 2 Repeal. The following are repealed:

6 I. RSA 2005, 3:2, relative to the repeal of the right-to-know oversight commission.

7 II. RSA 2005, 3:3, I, relative to the effective date of the repeal.

8 3 Effective Date. This act shall take effect upon its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 1362

BILL TITLE: extending the right-to-know oversight commission.
DATE: January 12, 2010
LOB ROOM: 208 **Time Public Hearing Called to Order:** 12:59 p.m.
Time Adjourned: 1:10 p.m.

(please circle if present)

Committee Members: Reps. D. Cote, Wall, Potter, Hackel, P. Preston, G. Richardson, L. Weber, B. Browne, Nixon, Thompson, Watrous, Rowe, N. Elliott, DiFruscia, W. O'Brien, Hagan, L. Perkins, Silva, W. Smith and Mead.

Bill Sponsors: Rep. J. Garrity, Rock 6; Rep. Casey, Rock 11, Rep. Osborne, Merr 12; Sen. Barnes, Jr., Dist 17

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. James Garrity, sponsor

RTK commission sunsets this year. Historic problem getting a school board member, thus the change to person appointed by NH School Boards Association.

Rep. Paul Hackel: Commission perpetual.

Rep. William O'Brien: Members of public would be on commission,

Rep. Philip Preston: re: last year's bill reducing attendance. A: was a problem for one year only.

Rep. Lucy Weber: Should the scope of the commission be extended?

Rep. O'Brien: Original scope was to look at electronic communication. Is this mission creep? A: Membership split on extending charge. Majority felt scope should be expanded.

Rep. Weber: IT position has never been filled and can be eliminated.

Rep. Rick Watrous: Do you see a way to delineate what the Commission does as opposed to this committee? A: I would leave that to your wisdom. No problem if we decide that a sunset is appropriate.

Bernie Folta, Claremont - supports

Value of RTK commission because it is in the Constitution and is a Judicial issue.

Commission can be more deliberative. Wants more public members.

Respectfully submitted,
Rep. Philip Preston, Clerk



HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 1362

BILL TITLE: extending the right-to-know oversight commission.

DATE: 1-12-10

LOB ROOM: 208

Time Public Hearing Called to Order: ~~12:00~~ 12:50 pm.

Time Adjourned: 1:10 pm

(please circle if present)

Committee Members: Reps. D. Cote, Wall, Potter, Hackel, P. Preston, G. Richardson, L. Weber, B. Browne, Nixon, Thompson, Watrous, Rowe, N. Elliott, DiFruscia, W. O'Brien, Hagan, L. Perkins, Silva, W. Smith and Meads

Bill Sponsors: Rep. J. Garrity, Rock 6; Rep. Casey, Rock 11, Rep. Osborne, Merr 12; Sen. Barnes, jr., Dist 17

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

FROM: Rep. Philip Preston, Clerk
DATE: Public hearing January 12, 2010
SUBJECT: Meeting minutes on HB 1362, extending the right-to-know oversight commission.

HB 1362 extending the right-to-know oversight commission

Rep James Garrity, sponsor

RTK commission sunsets this year. Historic problem getting a school board member, thus the change to person appointed by NH School Boards Association.

Hackel: Commission perpetual.

O' Brien: Members of public would be on commission,

Preston: re: last year's bill reducing attendance. A: was a problem for one year only.

Weber: Should the scope of the commission be extended?

O' Brien: Original scope was to look @ electronic communication. Is this mission creep? A:

Membership split on extending charge. Majority felt scope should be expanded.

Weber: IT position has never been filled and can be eliminated.

Watrous, Do you see a way to delineate what the Commission does as apposed to this committee? A: I would leave that to your wisdom. No problem if we decide that a sunset is appropriate.

Bernie Folta, Claremont - supports

Value of RTK commission because it is in the Constitution. and is a Judicial issue.

Commission can be more deliberative. Wants more public members.

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 1362

BILL TITLE: extending the right-to-know oversight commission.

DATE: February 4, 2010

LOB ROOM: 208

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hackel

Seconded by Rep. O'Brien

Vote: 13-4

(Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Preston, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 1362

BILL TITLE: extending the right-to-know oversight commission.

DATE: HB 1362

LOB ROOM: 208

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL Interim Study (Please circle one.)

Moved by Rep. Hackel, ~~O'Brien~~

Seconded by Rep. O'Brien

Vote: 13/4

(Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

~~CONSENT CALENDAR VOTE:~~

~~(Vote to place on Consent Calendar must be unanimous.)~~

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Preston, Clerk

JUDICIARY

Bill #: HB 1362 Title: _____

PH Date: ____/____/____

Exec Session Date: 03 / 04 / 10

Motion: ITL

Amendment #: _____

MEMBER	YEAS	NAYS
Cote, David E, Chairman	Y	
Wall, Janet G, V Chairman	Y	
Potter, Frances D	Y	
Hackel, Paul L	Y	
Preston, Philip, Clerk	Y	
Richardson, Gary B		N
Weber, Lucy M		N
Brown, Brandon Read, Robin		N
Nixon, David L	Y	
Thompson, Robert B		N
Watrous, Rick H	Y	
Rowe, Robert H	Y	
Elliott, Nancy J	Y	
DiFruscia, Anthony R <i>abs</i>		
Mead, Robert D	Y	
O'Brien, William L	Y	
Hagan, Joseph M <i>abs</i>		
Perkins, Lawrence B <i>abs</i>	Y	
Silva, Peter L	Y	
Smith, William B	Y	
TOTAL VOTE:	13	4

Committee Report

REGULAR CALENDAR

February 16, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on JUDICIARY to which was referred

HB1362,

AN ACT extending the right-to-know oversight commission.

Having considered the same, report the same with the

following Resolution: **RESOLVED**, That it is **INEXPEDIENT**

TO LEGISLATE.

Rep. Paul L Hackel

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	JUDICIARY
Bill Number:	HB1362
Title:	extending the right-to-know oversight commission.
Date:	February 16, 2010
Consent Calendar:	NO
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The bill would extend the right to know oversight commission indefinitely with reduced membership. The commission was established by RSA 91-A11, effective May 3, 2005 to study and oversee the right to know law in light of the supreme court's decision in Hawkins v New Hampshire Health and Human Services and increased use of electronic communications in the transaction of government business.

The commission was to expire November 2010 --- it successfully fulfilled its duties and consequently it should expire as planned.

Vote 13-4.

Rep. Paul L Hackel
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

JUDICIARY

HB1362, extending the right-to-know oversight commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul L Hackel for JUDICIARY. The bill would extend the right to know oversight commission indefinitely with reduced membership. The commission was established by RSA 91-A11, effective May 3, 2005 to study and oversee the right to know law in light of the supreme court's decision in Hawkins v New Hampshire Health and Human Services and increased use of electronic communications in the transaction of government business.

The commission was to expire November 2010 --- it successfully fulfilled its duties and consequently it should expire as planned. **Vote 13-4.**

Original: House Clerk
Cc: Committee Bill File
